## **REMARKS**

In response to the Office Action of June 27, 2005, Applicants hereby elect Species I, consisting of claims 7-15 and 39-46, with traverse since the election is deemed improper on its face.

As currently set forth in the Office Action, Applicants wish to bring to the Examiners attention that the species election does not include claim 34 in any species group.

Further, the species election is improper on its face since it defines each of the proposed species <u>only</u> in terms of the claims. Claims are definitions of inventions. Claims may be restricted to a single disclosed embodiment, but the Examiner has inappropriately defined the species in terms of the claims. M.P.E.P. 806.04(e) clearly provides that "claims are never species," but instead should be directed to the different embodiments of the specification. "Species are always specifically different embodiments." In view thereof, it is respectfully requested that the species election set forth in the Office Action of June 27, 2005 be reconsidered and withdrawn.

Consideration and allowance of the instant application are now respectfully requested.

Respectfully submitted,

Affrey L. Costellia Registration No. 35,483

NIXON PEABODY LLP Suite 900, 401 9<sup>th</sup> Street, N.W. Washington, D.C. 20004-2128 (202) 585-8000